

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

INA STEINER, DAVID STEINER, and
STEINER ASSOCIATES, LLC,

Civil Action No. 21-CV-11181-PBS

Plaintiffs,

v.

EBAY INC., et al.,

Defendants.

UNOPPOSED MOTION TO EXTEND DEADLINES FOR DAUBERT MOTIONS
CONCERNING EXPERTS ADAM GALINSKY AND KRISTIN KUCSMA

Plaintiffs respectfully move unopposed and with assent of Defendants to extend the deadlines for Oppositions and Replies, if any, pertaining to *Daubert* motions concerning Plaintiffs' experts Adam Galinsky and Kristin Kucsma. No party has opposed this motion and based upon conferring with defense counsel, Plaintiffs understand that Defendants assent to the relief sought.

As grounds for this motion, Plaintiffs state as follows:

1. Defendants Steve Wymer, Devin Wenig and Wendy Jones filed their *Daubert* motion as to Plaintiffs' expert Adam Galinsky on January 24, 2025.
2. Defendant eBay also filed a separate *Daubert* motion as to Adam Galinsky on January 24, 2025.
3. Taken together, the motions are voluminous with memoranda and exhibits spanning over 1000 pages, and involve complex issues of facts and law.
4. In addition, Defendants will be filing one or more *Daubert* motions with respect to Plaintiffs' expert Kristin Kucsma, which are due by January 31, 2025.

5. Extending the deadlines for Oppositions and Replies, if any, would promote a just and efficient manner for the parties to address the merits of the respective motions.
6. On January 28, 2025, counsel for Plaintiffs proposed extending the deadlines for Oppositions and Replies, if any, related to said motions. Plaintiffs do not oppose a request by Defendants for a Reply, should they seek to have same.
7. On January 30, 2025, counsel for the parties who filed the aforementioned motions agreed to an extension.
8. The parties propose the following Scheduling Order Modifications as it pertains to the aforementioned Daubert motions:

Deadline Description	Current Deadline for Opposition	Proposed Deadline for Oppositions
Plaintiffs' Oppositions to Defendants' <i>Daubert</i> motions regarding Adam Galinsky	Oppositions: February 7, 2025	Oppositions: February 21, 2025
Plaintiffs' Oppositions to Defendants' <i>Daubert</i> motions regarding Kristin Kucsma	Oppositions: February 14, 2025	Oppositions: February 28, 2025

9. On January 31, 2025, Plaintiffs' counsel circulated this Proposed Scheduling Order Modification to counsel of record for all parties. Defense counsel assented to the motion and relief requested or otherwise did not object. As of this filing, no parties have objected or responded otherwise.

WHEREFORE, Plaintiffs respectfully move this Court to grant an extension of time as outlined above regarding the *Daubert* motions related to Adam Galinsky and Kristin Kucsma.

Dated: February 3, 2025

Respectfully submitted

/s/ Kenneth B. Fromson
FINKELSTEIN & PARTNERS, LLP
1279 Route 300, Box 1111
Newburgh, NY 12551
845-943-2331
Co-Counsel for Plaintiffs

CERTIFICATION PURSUANT TO L.R.7.1(a)(2)

I, Kenneth B. Fromson,, counsel for Plaintiffs, hereby certify that, in accordance with Local Rule 7.1(a)(2), counsel for Plaintiffs conferred with defense counsel, who assent to the relief requested in this motion. Counsel for Plaintiffs also emailed counsel of record for Defendants (and pro se Defendants) asking if they objected to the relief requested in this motion. As of the time of this filing, all Defendants either did not object to the relief requested or did not respond.

Dated: February 3, 2025

/s/ Kenneth B. Fromson
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845-943-2331
Co-Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2025, this document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: February 3, 2025

/s/ Kenneth B. Fromson
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